

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KEVIN R. EDWARDS,

Plaintiff,

v.

**MICHAEL ASTRUE,
Commissioner of Social Security,**

Defendant.

Case No. 08-cv-685-DRH

ORDER

HERNDON, Chief Judge:

On October 8, 2008, plaintiff Kevin R. Edwards filed this action against the Commissioner of Social Security (Doc. 2). Specifically, Plaintiff sought judicial review of the findings and determinations of the Commissioner finding Plaintiff is not disabled and thus not entitled to receive Disability Insurance Benefits and Supplemental Security Income, pursuant to **42 U.S.C. § 423**. On January 20, 2010, pursuant to **28 U.S.C. § 636(b)(1)(B)**, United States Magistrate Judge Clifford Proud submitted a Report and Recommendation ("R&R") (Doc. 24), recommending that the Court grant Plaintiff's request to reverse the Commissioner's final decision and further recommends that the Court remand the matter to the agency for rehearing and reconsideration of the evidence, pursuant to sentence four of **42 U.S.C. § 405(g)**.

The R&R was sent to the parties with a notice informing them of their

right to appeal by way of filing “objections” by February 8, 2010. To date, none of the parties have filed objections, and the period in which to file objections has expired. Therefore, pursuant to **28 U.S.C. § 636(b)**, this Court need not conduct *de novo* review. ***Thomas v. Arn*, 474 U.S. 140, 149-52 (1985)**.

Thus, the Court **ADOPTS** the R&R (Doc. 24) in its entirety. The decision of the Commissioner finding Plaintiff was not disabled and therefore not entitled to receive Disability Insurance Benefits and Supplemental Security Income is, pursuant to sentence four of **42 U.S.C. § 405(g)**, hereby **REVERSED** and **REMANDED** back to the agency for rehearing and reconsideration of evidence, consistent with the issues addressed in the R&R.

IT IS SO ORDERED.

Signed this 9th day of February, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**